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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

\* \* \* \* \*

UNITED STATES OF AMERICA )  
 )  
 Plaintiff, )  
 )  
 v. ) 2:15-cr-305-GMN-GWF-1  
 )  
 SALEUMKIAT KAYARATH, et al. )  
 )  
 Defendant. )  
 )

**STIPULATION TO MODIFY CONDITIONS OF RELEASE TO REMOVE ALCOHOL MONITORING**

**IT IS HEREBY STIPULATED AND AGREED**, by and between the United States of America, by and through Assistant United States Attorney Susan Cushman, Esq., and Defendant, **SALEUMKIAT KAYARATH**, by and through his attorney Richard A. Schonfeld, Esq., that the condition of release requiring the Defendant to be monitored by an alcohol detection device be removed.

This Stipulation is entered into for the following reasons:

1. On March 3, 2022, Defendant appeared for his Initial Appearance related to a violation of his Supervised Release. At that time, the Court Ordered an additional condition of Mr. Kayarath's release to include alcohol monitoring;

1           2. On January 4, 2023, the Court held a status conference related to the revocation  
2 proceedings. The matter has been further set out to 6/14/23 for Mr. Kayarath's continued  
3 compliance with the conditions of his Supervised Release;  
4

5           3. At the time of the hearing, the parties did not address the condition related to alcohol  
6 monitoring, which has been in place for over 10 months. Since then, the undersigned counsel has  
7 communicated with Probation Officer McCarroll and Assistant United States Attorney Susan  
8 Cushman and neither object to the removal of the condition of alcohol monitoring.  
9

10          For the foregoing reasons, the parties stipulate to the removal of the condition over Mr.  
11 Kayarath that he be subject to alcohol monitoring.  
12

13          **DATED** this 18<sup>th</sup> day of January, 2023.  
14

15          **UNITED STATES ATTORNEY**

16          /s/ Susan Cushman

17          **SUSAN CUSHMAN, AUSA**

18          501 Las Vegas Blvd. South, Suite 1100  
19          Las Vegas, Nevada 89101  
20          Attorney for Plaintiff

21          Tel: (702) 388-6336

22          **CHESNOFF & SCHONFELD**

23          /s/ Richard A. Schonfeld

24          **RICHARD A. SCHONFELD, ESQ.**

25          520 South Fourth Street  
26          Las Vegas, Nevada 89101  
27          Attorney for Defendant, Saleumkiat  
28          Kayarath  
                  Tel: (702) 384-5563

## **FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER**

Having considered the Stipulation of the Parties, and good cause being shown, the Court hereby finds and Orders as follows:

1. On March 3, 2022, Defendant appeared for his Initial Appearance related to a violation of his Supervised Release. At that time, the Court Ordered an additional condition of Mr. Kayarath's release to include alcohol monitoring;

2. On January 4, 2023, the Court held a status conference related to the revocation proceedings. The matter has been further set out to 6/14/23 for Mr. Kayarath's continued compliance with the conditions of his Supervised Release;

3. At the time of the hearing, the parties did not address the condition related to alcohol monitoring, which has been in place for over 10 months. Since then, the parties have communicated and there is no objection to the removal of the condition of alcohol monitoring.

Accordingly, the Court hereby Orders that the conditions of Mr. Kayarath's release be modified so that he is no longer subject to alcohol monitoring.

## **ORDER**

**IT IS SO ORDERED.**

Dated this 18 day of January, 2023

Submitted by:

*/s/ Richard A. Schonfeld*  
**RICHARD A. SCHONFELD, ESQ.**  
CHESNOFF & SCHONFELD  
520 S. 4<sup>th</sup> Street  
Las Vegas, Nevada 89101  
Attorney for Defendant

Gloria M. Navarro, District Judge  
UNITED STATES DISTRICT COURT